United Nations A/61/450

General Assembly

Distr.: General
16 November 2006
English
Original: French

Sixty-first session
Agenda item 33

Comprehensive review of the whole question of peacekeeping operations in all their aspects

Report of the Sixth Committee

Rapporteur: Mr. Mamadou Moustapha **Loum** (Senegal)

I. Introduction

1. At its 2nd plenary meeting, on 13 September 2006, the General Assembly, on the recommendation of the General Committee, decided to include the item entitled "Comprehensive review of the whole question of peacekeeping operations in all their aspects" in its agenda and to allocate it to both the Fourth and Sixth Committees.

2. The Sixth Committee considered the item at its 20th and 21st meetings, on 6 and 9 November 2006. The statements made by the representatives during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/61/SR.20 and 21).

3. For its consideration of the item, the Committee had before it the report of the Group of Legal Experts on ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts committed in peacekeeping operations (A/60/980).[1]

II. Consideration of draft resolution A/C.6/61/L.13

4. At the 21st meeting, on 9 November, the representative of Liechtenstein, on behalf of the Bureau, introduced a draft resolution entitled "Criminal accountability of United Nations officials and experts on mission" (A/C.6/61/L.13).

[1] The General Assembly had, in its decision 60/502 B of 8 September 2006, decided to transmit to the Sixth Committee, in the light of resolution 60/263 of 6 June 2006, the report of the Group of Legal Experts (A/60/980) issued pursuant to Assembly resolution 59/300 of 22 June 2005. (See A/61/250, para. 71.)

06-55056 (E) 271106

5. Operative paragraph 2 was orally revised to indicate the dates of the meeting of the Ad Hoc Committee.

6. At the same meeting, the Committee adopted draft resolution A/C.6/61/L.11, as orally revised, without a vote (see para. 7).

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Criminal accountability of United Nations officials and experts on mission

The General Assembly,

Recalling its resolution 59/281 of 29 March 2005, in which it endorsed the recommendation in paragraph 56 of the report of the Special Committee on Peacekeeping Operations[1] that the Secretary-General make available to the United Nations membership a comprehensive report on the issue of sexual exploitation and abuse in United Nations peacekeeping operations,

Noting that the Secretary-General, on 24 March 2005, transmitted to the President of the General Assembly a report of his Adviser concerning sexual exploitation and abuse by United Nations peacekeeping personnel,[2]

Recalling its resolution 59/300 of 22 June 2005 endorsing the recommendation of the Special Committee on Peacekeeping Operations[3] that a group of legal experts be established to provide advice on the best way to proceed so as to ensure that the original intent of the Charter of the United Nations can be achieved, namely that United Nations staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized, in accordance with due process,

Noting the report of the Group of Legal Experts[4] established by the Secretary-General pursuant to resolution 59/300,

Convinced of the need for the United Nations to take strong and effective steps in this regard,

1. *Decides* to establish an Ad Hoc Committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, for the purpose of considering the report of the Group of Legal Experts, in particular its legal aspects;

2. *Decides also* that the Ad Hoc Committee shall meet from 9 to 13 April 2007;

3. *Requests* the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

4. *Requests* the Ad Hoc Committee to report on its work to the General Assembly at its sixty-second session;

5. *Decides* to include in the provisional agenda of its sixty-second session the item entitled "Criminal accountability of United Nations officials and experts on mission".

---

[1] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part one, chap. III, sect. D.

[2] See A/59/710.

[3] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part two, chap. II, sect. N.

[4] See A/60/980.